

BETRICE Y. BAKER,
Plaintiff,
v.
THOMSANIA WILSON,
MASTERS INN, et al.,
Defendants.

Betrice Baker has submitted to the Court a handwritten Complaint that represents a cry for help. She sincerely believes that some person or entity is controlling her mind and abusing her in some undecipherable manner. As her civil action (which the Court allows filed *in forma pauperis*) is not grounded in reality, it is subject to immediate dismissal pursuant to 28 U.S.C. § 1915(e)(2).

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having her mind “swept” by all color, *id.*, and to a “corrupted” FBI that has accused her of being a “midget hoe” and a thief. *Id.* at 11, 12. All color has “tampered with” her school assignments, *id.* at 13, and continually insulted, mocked, and bedeviled her in ways that are hard to understand. *Id.* at 5, 8-11, 13. She references “Georgia Regional,” a local mental health hospital, and suggests that all color is trying to manipulate the police into sending her there. *Id.* at 10. In her prayer for relief she expresses the “need to know [her] true identity” and “who [she] really is in the world and the universe.” *Id.* at 5. She asks the Court “to solve” whether she is “a trillionaire” and seeks “peace in [her] life.” *Id.*

Complaints, such as this one, that lack an arguable factual or legal basis are subject to immediate dismissal under § 1915(e)(2)(B)(i) as a frivolous claim on the Court’s time. *Denton v. Hernandez*, 504 U.S. 25, 32 (1992) (the statutory obligation to dismiss “frivolous” claims empowers a federal court not only to dismiss claims resting upon “an indisputably meritless legal theory” but also “those claims whose factual contentions are clearly baseless”) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327 (1989)). Factually frivolous claims include those that

describe “fantastic or delusional scenarios, claims with which federal judges are all too familiar.” *Id.* (quoting *Neitzke*, 490 U.S. at 328).

Plaintiff’s factual allegations in this case are not merely improbable but instead “rise to the level of the irrational or the wholly incredible.” *Denton*, 504 U.S. at 33. The notion that her mind is being manipulated and controlled by outside forces floats above the plane of reality, beyond the realm of the idiosyncratic into the ethereal, unworldly zone of the bizarre. Her Complaint is a sad read, for it reflects a profound paranoia that is evidently incapacitating. The Court has genuine concerns for plaintiff’s welfare, and it encourages her to seek the help of a mental health professional. Her regular physician, or any local medical clinic that treats the poor, can refer her to such a professional. If she has nowhere else to turn, she can seek assistance at a local hospital emergency room.

Despite the Court’s sympathy for a litigant who is presently suffering from some mental disorder that impairs rational thinking, it has an obligation to dismiss any complaint that is factually frivolous. Plaintiff’s Complaint is certainly in that category. Accordingly, it should be **DISMISSED** prior to service.

This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, plaintiff may file written objections to this R&R with the Court. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). Plaintiff is advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonett v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. U.S.*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 8th day of May, 2017.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA